

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

## Chapter 11

Case No. 12-12020 (MG)

## CASE MANAGEMENT AND SCHEDULING ORDER

This Case Management and Scheduling Order is entered by the Court in accordance with Fed. R. Civ. P. 16(b) and 26(f) and relates to the Proof of Claim filed by Mary R. Biancavilla (“Biancavilla”) (Claim No. 4397).

1. All fact discovery shall be completed no later than 30 days from the date of this Order.
2. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure (“Civil Rules”), Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”) and the Local Rules of the Bankruptcy Court for the Southern District of New York (“Local Bankruptcy Rules”).
3. Motions
  - a. All motions and applications shall be governed by the Civil Rules, Bankruptcy Rules and Local Bankruptcy Rules, including pre-motion conference requirements. Pursuant to the authority provided by Fed. R. Civ. P. 16(b)(2), a motion for summary judgment will be deemed untimely unless a request for a pre-motion conference relating thereto (*see* Local Bankruptcy Rule 7056-1) is made in writing within fourteen (14) days after the close of fact discovery (*see* paragraph 1 hereof).

b. Motion papers shall be filed promptly after service. All motions, and courtesy copies of motions, shall include a table of contents listing all affidavits and exhibits. Affidavits and exhibits shall be clearly identified by tabs on both the original and courtesy copies. Exhibits shall be marked sequentially such that no exhibit number or letter repeats, regardless of the affidavit to which it is attached. Exhibits for the Trust should be marked by numbers; exhibits for Biancavilla should be marked by letters.

c. Two courtesy copies of all motions papers shall be delivered to chambers as soon as practicable after filing.

**d. Unless prior permission has been granted, memoranda of law in support of and in opposition to motions are limited to 25 pages, and reply memoranda are limited to 10 pages. All memoranda shall be double-spaced, 12-point font, with 1” margins. Memoranda of 10 pages or more shall contain a table of contents and a table of authorities.**

e. Prior to filing a motion, counsel for the moving party shall contact my Courtroom Deputy, Deanna Anderson, to obtain a hearing date for the motion.

4. Counsel shall submit a proposed Joint Pretrial Conference Order within fourteen (14) days after the close of fact discovery. The proposed Joint Pretrial Conference Order shall be prepared using the form of order that will be provided to counsel by my Courtroom Deputy or law clerks.

5. In the event of any discovery dispute in this action, counsel shall first meet and confer in an effort to resolve the dispute. If counsel are unable to resolve the dispute, counsel for any part seeking assistance from the Court shall, before filing any discovery motion, arrange a conference call with the Court with all counsel involved in the dispute.

The Court will endeavor to resolve the dispute without the filing of any discovery motions.

6. The next Case Management Conference is scheduled for March 30, 2016 at 10:00 a.m.

7. Trial of this matter will be a “timed trial,” with a maximum of 6-trial hours during the course of 1 day. Each side will be allocated a maximum of 3-trial hours to use for opening statement, all direct, cross-examination and redirect witness examinations, and summation. Counsel is responsible for having his or her witnesses present and ready to testify without any delays or gaps in testimony.

8. The parties are directed to exchange pre-marked trial exhibits seven (7) days before trial.

8. This ORDER may not be modified or the dates herein extended, except by further Order of this Court for good cause shown. Any application to modify or extend any deadline established by this Order shall be made in a written application no less than five (5) days prior to the expiration of the date sought to be extended.

**IT IS SO ORDERED.**

Dated: February 29, 2016  
New York, New York

/s/Martin Glenn  
MARTIN GLENN  
United States Bankruptcy Judge